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Letter dated 21 June 2012 from the Secretary-General addressed to the President of the Security Council

I have the honour to convey a letter dated 14 June 2012 from Jean Ping, Chair of the African Union Commission, forwarding the communiqué of the 323rd meeting of the Peace and Security Council of the African Union, held in New York on 12 June 2012 (see annex).

I should be most grateful if you would bring the present letter and its attachment to the attention of the members of the Security Council.

(*Signed*) **BAN** Ki-moon

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Annex

Letter dated 14 June 2012 from the Chair of the African Union Commission addressed to the Secretary-General

As a follow-up to my letter of 7 June 2012 forwarding the conclusions of the inaugural meeting of the Support and Follow-up Group on the situation in Mali, held in Abidjan, Côte d'Ivoire, I am pleased to transmit, herewith, the communiqué of the 323rd meeting of the Peace and Security Council of the African Union, held in New York on 12 June 2012 (see enclosure). The decision of the Council to convene in New York is a further illustration of the deep concern of the African Union over the prevailing situation in Mali, characterized on the one hand by the continued occupation of the northern part of the country by armed, terrorist and criminal groups and on the other hand by the persistent fragility of the institutions established as part of the process towards the full restoration of constitutional order.

Building on the African Union's earlier pronouncements and the conclusions of the meeting in Abidjan, which it endorsed, the Council, in its communiqué, stressed the need to ensure the early restoration of State authority over the northern part of the country. The achievement of that objective would require dialogue with groups willing to seek a solution to any legitimate claim they may have on the basis of the scrupulous respect of the unity and territorial integrity of Mali, the rejection of armed rebellions and the rejection of any link with terrorist and criminal groups. At the same time, preparations need to be initiated for the eventual use of force against terrorist and criminal groups and all those who would reject dialogue and refuse to cooperate towards the early and peaceful resolution of the crisis.

Regarding the institutional crisis, the Council reiterated the need to step up pressure on all those, military and civilian, whose actions are undermining the effectiveness of the return to constitutional order. Furthermore, we should encourage dialogue between the Government and the political class as well as civil society, with a view to building the broadest possible consensus among the Malian stakeholders on how best to address the numerous challenges facing their country.

As part of this two-pronged strategy, the Council, recalling its earlier support for the activation of the Standby Force of the Economic Community of West African States (ECOWAS) for deployment in Mali, has authorized ECOWAS to put in place the required security and military arrangements to contribute to the achievement of the following objectives: (a) ensuring the security of the transitional institutions, to enable them to function under a more conducive environment; (b) restructuring and reorganizing the Malian security and defence forces; and (c) restoring State authority over the northern part of Mali, including combating terrorist and criminal networks. The Council has therefore called upon, as a matter of urgency, the United Nations Security Council to endorse the envisaged deployment of an ECOWAS force and to lend its full support to the efforts being exerted towards the achievement of these objectives.

Clearly, the provision of the support required for the envisaged deployment to be successful would be based upon the definition of the precise mandate of the force and its concept of operations, as well as on the further elaboration of the overall strategy to guide the efforts of the African Union. In that respect, I am pleased to bring to your attention that the Council has requested the African Union Commission and ECOWAS, with the support of the United Nations and other

partners, and in consultation with all countries neighbouring Mali, to speedily finalize all relevant documents, including the mandate and concept of operations of the envisaged force, in support of the formal request to the United Nations seeking authorization for the provision of a support package funded by contributions assessed by the United Nations. The African Union Commission will take urgent steps in this regard.

It is not necessary to emphasize the gravity of the situation prevailing in Mali; in particular, the occupation of the northern part of the country by armed, terrorist and criminal groups constitutes a serious threat to the Malian State and to the rest of the region, as well as to the larger international community. It is critical that the United Nations extend all the required support to ECOWAS and the African Union as they strive to address the prevailing situation. The international community needs to act with speed and the necessary unity of purpose. Any further delays will compound the challenges facing us and make it even more difficult to deal with the situation.

I would be most grateful if you could kindly and urgently circulate this letter to the members of the Security Council and bring to their attention, for their consideration and action, the African Union's formal request for support.

(*Signed*) Jean **Ping**

Enclosure

Communiqué of the 323rd meeting of the Peace and Security Council of the African Union

[Original: English and French]

The Peace and Security Council of the African Union, at its 323rd meeting, held in New York on 12 June 2012, adopted the following decision on the situation in Mali:

The Council:

1. Takes note of the briefing made by the Commissioner for Peace and Security on the evolution of the situation in Mali, as well as of the statement made by the representative of Côte d'Ivoire, on behalf of the current Chair of the Economic Community of West African States (ECOWAS). The Council also notes the participation in the meeting, as invitees, of representatives of the core countries (Algeria, Mauritania and the Niger), and the statement made by the representative of the Niger;

2. Recalls its previous decisions on the situation in Mali, in particular its communiqués dated 20 March (PSC/MIN/COMM.(CCCXIV)), and 3 and 24 April 2012 (PSC/PR/COMM.(CCCXVI) and PSC/MIN/COMM./2.(CCCXIX)), respectively;

3. Reiterates the concern of the African Union at the continued occupation of the northern part of Mali by the armed, terrorist and criminal groups operating in that area and the increasing linkages between terrorist and criminal networks, as well as the violations of human rights committed by these groups and the dire humanitarian situation prevailing on the ground;

4. Also reiterates the concern of the African Union at the continuing fragility of the institutions established as part of the process towards the restoration of constitutional order, as demonstrated by the unacceptable physical assault against the interim President, Mr. Dioncounda Traore, the continued interference of military elements in the management of the transition and other related acts which undermine the integrity of the transition;

5. Commends once again President Blaise Compaoré of Burkina Faso, the ECOWAS Mediator, and President Alassane Dramane Ouattara of Côte d'Ivoire, current Chairman of ECOWAS, for their ongoing efforts and the results achieved so far towards the full restoration of constitutional order. The Council also reiterates its high appreciation to them for the timely consultative summit on the situation in Mali that they held in Lomé on 6 June 2012, and at which participated President Denis Sassou Nguesso of the Republic of the Congo, Chairperson of the African Union Peace and Security Council for the month of June 2012; President Thomas Boni Yayi of Benin, Chairman of the Union; President Faure Essozimna Gnassingbé of Togo; President Mahamadou Issoufou of the Niger; President Macky Sall of Senegal; and Prime Minister Cheick Modibo Diarra of Mali;

6. Welcomes the convening of the inaugural meeting of the Support and Follow-up Group on the Situation in Mali, in Abidjan, Côte d'Ivoire, on 7 June 2012, in accordance with its communiqués of 20 March and 3 April 2012, and endorses its conclusions. The Council stresses the critical importance that the Group

is expected to play in mobilizing international support for the African-led efforts on the situation in Mali and encourages it to convene regularly and to take all appropriate steps towards the full implementation of the conclusions of its inaugural meeting;

7. Reiterates the strong condemnation of the African Union of the armed attacks against the Malian State and the unacceptable and dangerous presence of terrorist and criminal groups in the northern part of the country, as well as the threat that recourse to armed rebellion poses to the viability of African States and to the democratization processes on the continent;

8. Also condemns the violations of human rights and abuses committed by the armed and terrorist groups operating in the northern part of Mali and expresses concern at the humanitarian situation on the ground. The Council commends the countries hosting a large number of Malian refugees, namely Algeria, Burkina Faso, Mauritania and the Niger, and recognizes the burden borne by them as a result of this situation. The Council also commends the humanitarian organizations involved in the relief operations for their efforts, and urges African Union Member States and the international community at large to extend the required assistance to the affected civilian populations;

9. Expresses its full support to all efforts aimed at addressing, by peaceful means, the causes of the recurring rebellions in northern Mali, and to dialogue with Malian groups that would commit themselves to negotiate on the basis of the following principles: the scrupulous respect for the national unity and territorial integrity of Mali, which cannot be the subject of any discussion or negotiation, and the total rejection of the recourse to armed rebellion, and that of any relation with terrorist and criminal networks, which must be neutralized by all possible legitimate means;

10. Reaffirms its support for the continuation of the ECOWAS mediation, with the participation of the core countries, in accordance with its communiqué of 20 March 2012, and requests the Chairperson of the African Union Commission to take the steps he deems appropriate to back the mediation efforts and facilitate coordination among all concerned;

11. Stresses the urgent need to create a conducive environment to enable the transitional institutions to fully exercise their responsibilities in conditions of security and without any interference by the military junta and its civilian supporters, as well as the need for the scrupulous respect for fundamental freedoms. In that respect, the Council strongly condemns the unacceptable physical assault against the interim President, calls for the speedy identification and trial of all those involved in the attack and demands the immediate dissolution of the National Council for the Recovery of Democracy and the Restoration of the State, whose existence, under any form, is not consistent with the restoration of constitutional order in the Republic of Mali. The Council reiterates its determination to take and implement sanctions against all those whose action is impeding the full return to constitutional order, and requests the Commission, in consultation with ECOWAS and other stakeholders, to draw up a preliminary list of individuals and entities, in particular the members of the military junta and their civilian supporters, undermining the process of returning fully to constitutional order, for consideration and action as appropriate;

12. Expresses its full support to the transitional institutions, and urges all African Union Member States and partners to extend the required assistance to facilitate the attainment of the objectives of the transition, namely the reorganization and restructuring of the security and defense forces, the restoration of State authority throughout the territory of Mali, and the organization of free, fair and transparent elections, within the agreed period of 12 months;

13. Requests the Malian Government to fully assume its responsibilities in the management of the transition, stresses the need for close and continued cooperation between the Government and the different political actors and civil society in Mali on the various challenges facing the country and encourages all the Malian stakeholders, with the support of ECOWAS, to quickly develop a road map outlining the various tasks to be carried out during the transition, so as to facilitate the attainment of the set objectives;

14. Reaffirms the provisions of article 16 of the Protocol relating to the Establishment of the Peace and Security Council of the African Union on the relationship between the African Union and the regional mechanisms for conflict prevention, management and resolution, which are part of the overall security architecture of the Union, as well as the Memorandum of Understanding of January 2008 on cooperation between the African Union and the regional mechanisms in the area of peace and security, concluded in pursuance of article 16 of the Peace and Security Council Protocol. The Council, within this framework and recalling its earlier support to the activation of the ECOWAS Standby Force, authorizes ECOWAS, in collaboration as appropriate with the core countries, namely Algeria, Mauritania and the Niger, to put in place the required military and security arrangements towards the achievement of the following objectives:

(a) Ensuring the security of the transitional institutions;

(b) Restructuring and reorganizing the Malian security and defence forces;

(c) Restoring State authority over the northern part of the country and combating terrorist and criminal networks;

15. Requests the core countries to contribute, as appropriate, to the design, planning and implementation of the above-mentioned military and security arrangements in Mali;

16. Calls upon, as a matter of urgency, the United Nations Security Council to endorse the envisaged deployment of an ECOWAS force as outlined above, and to lend its full support to the efforts being exerted to this end. The Council appeals to all African Union Member States in a position to do so, as well as to African Union partners, to extend logistical, financial and technical support to ECOWAS and to assist in the restructuring, reorganization and re-equipment of the Malian security and defence forces;

17. Requests the African Union Commission and ECOWAS, with the support of the United Nations, the European Union and other partners, and in consultation with all countries neighbouring Mali, to speedily finalize the work already initiated towards the precise definition of the mandate and the elaboration of the concept of operations and other related documents for the envisaged force, in support of the formal request to the United Nations Security Council seeking authorization for the provision of a support package funded by contributions assessed by the United

Nations. The Council requests the Chairperson of the Commission to coordinate this process with ECOWAS and all other concerned actors in order to finalize it within three weeks from the adoption of this decision;

18. Reiterates the need for a regional and long-term approach to address the structural problems facing the Sahel region. In this respect, the Council stresses the relevance of the strategy adopted at its ministerial meeting held in Bamako on 20 March 2012 (PSC/MIN/DECL.(CCCXIV)) and requests the Commission to actively ensure its follow-up and implementation;

19. Decides to remain actively seized of the matter.